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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,419	06/29/2001	Steve Arnold	367.40293X00	5220

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EXAMINER

ANYASO, UCHENDU O

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 06/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/893,419

Applicant(s)

ARNOLD, STEVE

Examiner

Uchendu O Anyaso

Art Unit

2675

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-14 and 16-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-14 and 16-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. **Claims 1-9, 11-14 and 16-20** are pending in this action.

Claim Rejections - 35 USC ' 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-9, 11-14 and 16-20** are rejected under 35 U.S.C. 102(b) as being anticipated by *Jones et al* (GB Patent 2,332,293).

Regarding **independent claims 1 and 11**, Jones teaches an input device for inputting instructions or data into an apparatus having a display for displaying a plurality of selectable menu items comprising a display controller for controlling the display to display at least one of the menu items as a plurality of subsequentially selectable submenu items, and a selection device for selecting one of the submenu items (*see* Abstract).

Furthermore, Jones a user interface 1, an input unit 2 that receives an inputs and sends signals to the display controller 3, and an output in the form of a display 5 (*see* figure 1 at 1-3, 5, page 8, lines 20-24).

Furthermore, Jones teaches a control means in the form of a display controller 3 and a processing unit 4 wherein if the input selection received at the user selection device 1 comprises an input data unit or instructions, the input unit 2 passes this to the processing unit 4 for the processing of the data unit or instruction such that the processing unit 4 can control the display 5

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to display the processed data or data process in accordance with the input instruction (page 8, lines 24 through page 9, lines 3).

Also, Jones teaches how the selection means comprises four keys 22 corresponding to the four quadrants of the menu display area 20 (see figure 3a-3i, page 10, lines 1-4). Also, Jones teaches in figure 2, the organization of the input data wherein the input data is arranged into a three level tree structure such that in order to select a data item i.e., to navigate to the bottom of the tree, a maximum number of three selections are required (page 9, lines 14-20, figures 2, 3a-3i).

Furthermore, Jones how the control means controls the user interface such that pressing an input key produces a menu selection, and further pressing of the same key produces a submenu selection (see e.g., page 13 line 20 through page 14, line 20, figures 8a-8d, 9a-9c).

Regarding **claim 2**, in further discussion of claim 1, Jones teaches how the input comprises a key means (page 14, lines 2-3, figures 8a-8d).

Regarding **claim 3**, in further discussion of claim 2, Jones teaches how the plurality of actuators of the key means are keys by teaching that pressing an input key produces a menu selection, and further pressing of the same key produces a submenu selection (see e.g., page 13 line 20 through page 14, line 20, figures 8a-8d, 9a-9c).

Regarding **claims 4-6**, in further discussion of claim 1, Jones teaches how a “rocker” type switch would be used as a multipositional input selection device (page 15, lines 14 through page 16, line 6).

Regarding **claims 7, 12 and 16-20**, in further discussion of claims 1 and 11, Jones teaches how the selection means comprises four keys 22 corresponding to the four quadrants of the menu display area 20 (see figure 3a-3i, page 10, lines 1-4). Also, Jones teaches in figure 2, the organization of the input data wherein the input data is arranged into a three level tree structure such that in order to select a data item i.e., to navigate to the bottom of the tree, a maximum number of three selections are required (page 9, lines 14-20, figures 2, 3a-3i).

Regarding **claims 8 and 13**, in further discussion of claims 7 and 12, Jones teaches how the further menu selection comprises lesser items than the number of actuators (see figure 3c, 3k).

Regarding **claims 9 and 14**, in further discussion of claims 8 and 13, Jones teaches what happens when a user reaches the point of “last item in menu” (see figure 4 at S7).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uchendu O. Anyaso whose telephone number is (703) 306-5934.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

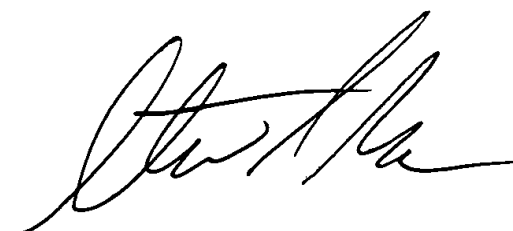
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Uchendu O. Anyaso

05/25/2003



STEVEN SARAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600